

LEGISLATURE OF NEBRASKA  
ONE HUNDREDTH LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 142**

FINAL READING

Introduced by Friend, 10; Avery, 28; Erdman, 47; McDonald, 41

Read first time January 8, 2007

Committee: Judiciary

A BILL

1 FOR AN ACT relating to communications; to amend section 28-101,  
2 Revised Statutes Cumulative Supplement, 2006; to create  
3 the offense of enticement by electronic communication  
4 device; to provide a penalty; to harmonize provisions;  
5 and to repeal the original section.

6 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 28-101, Revised Statutes Cumulative  
2 Supplement, 2006, is amended to read:

3           28-101 Sections 28-101 to 28-1350 and section 2 of this  
4 act shall be known and may be cited as the Nebraska Criminal Code.

5           Sec. 2. (1) A person commits the offense of enticement by  
6 electronic communication device if he or she is nineteen years of  
7 age or over and knowingly and intentionally utilizes an electronic  
8 communication device to contact a child under sixteen years of age  
9 or a peace officer who is believed by such person to be a child  
10 under sixteen years of age and in so doing:

11           (a) Uses or transmits any indecent, lewd, lascivious, or  
12 obscene language, writing, or sound;

13           (b) Transmits or otherwise disseminates any visual  
14 depiction of sexually explicit conduct as defined in section  
15 28-1463.02; or

16           (c) Offers or solicits any indecent, lewd, or lascivious  
17 act.

18           (2) Enticement by electronic communication device is a  
19 Class IV felony.

20           (3) Enticement by electronic communication device is  
21 deemed to have been committed either at the place where the  
22 communication was initiated or where it was received.

23           (4) For purposes of this section, electronic  
24 communication device means any device which, in its ordinary and  
25 intended use, transmits by electronic means writings, sounds,

1 visual images, or data of any nature to another electronic  
2 communication device.

3           Sec. 3. Original section 28-101, Revised Statutes  
4 Cumulative Supplement, 2006, is repealed.